

Steven R. Bailey [0174]

Chapter 7 Trustee

PO Box 1828

Layton, Utah 84041

Telephone: (801)589-8296

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

----oo0oo----

In re:	:	Chapter 7
ROCKWELL DEBT FREE	:	
PROPERTIES, INC.	:	Case No. 20-25326
	:	
	:	Judge Kevin R. Anderson

Debtor(s).

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**TRUSTEE'S REPORT REGARDING SALE OF THE ESTATE'S
INTEREST IN REAL PROPERTY**

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Steven R. Bailey, Trustee of the estate of the above-named Debtor, hereby submits his report regarding the sale of personal property of the estate.

1. On February 16, 2024 the Trustee filed his Notice of Hearing on Trustee's Motion for an Order Authorizing The Sale Of The Estates' Interest In The Debtors Real Property. A copy of the Notice is attached as "**Exhibit A**".

1. By order entered March 12, 2024, the Court authorized the Trustee to sell the estate's interest in personal property described as interest in real property for the sum of \$50,000.00. A copy of the Order is attached as "**Exhibit B**".

2. The Trustee has received and deposited \$50,000.00 for the purchase of the estate's interest in the real property.

DATED this 16th day of May, 2025.

/s
STEVEN R. BAILEY
Chapter 7 Trustee

CERTIFICATE OF MAILING

The undersigned hereby certifies that a true and correct copy of the foregoing **Trustee's Report Regarding Sale of Personal Property of the Estate** was delivered this 16th day of May, 2025 via ECF. To the U.S. Trustee's Office

_____/s/_____
Karen Bailey-Secretary

Blake D. Miller (#4090)
Deborah R. Chandler (#12057)
ANDERSON & KARRENBERG
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Attorneys for Steven R. Bailey, Chapter 7 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

In re

ROCKWELL DEBT FREE PROPERTIES,
INC.,

Debtor.

Bankruptcy No. 20-25326 (KRA)

Chapter 7

Honorable Kevin R. Anderson

**NOTICE OF MOTION FOR 1) ORDER APPROVING SETTLEMENT AGREEMENT
BETWEEN THE TRUSTEE AND PURCHASER OF REAL PROPERTY FROM THE
DEBTOR LOCATED IN CHESAPEAKE, VIRGINIA AND 2) APPROVAL TO SELL
BANKRUPTCY ESTATE PROPERTY PURSUANT TO TERMS OF SETTLEMENT
AGREEMENT**

-AND-

NOTICE OF OPPORTUNITY FOR HEARING

**(Objection Deadline: March 5, 2024)
(Hearing Date: March 12, 2024 at 10:30 a.m.)**

PLEASE TAKE NOTICE that Steven R. Bailey, in his capacity as Chapter 7 Trustee (the “Trustee”) of the bankruptcy estate of Rockwell Debt Free Properties, Inc. (the “Estate”), has filed through counsel, with the United States Bankruptcy Court for the District of Utah, a Motion for 1) Order Approving Settlement Agreement Between the Trustee and Purchaser of Real Property from the Debtor Located in Chesapeake, Virginia and 2) Approval to Sell Bankruptcy Estate Property Pursuant to Terms of Settlement Agreement (the “Motion”).

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not

have an attorney, you may wish to consult one.

NO HEARING WILL BE CONDUCTED ON THE MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE COURT ON OR BEFORE THE OBJECTION DEADLINE SET FORTH BELOW.

PLEASE TAKE FURTHER NOTICE that the Trustee's Motion seeks court approval to sell the Estate's 10.47 % interest in certain real property located at 631 Independence Parkway, Chesapeake, VA, described as follows:

ALL THAT certain lot, piece or parcel of land, lying, situate and being in the City of Chesapeake, Virginia, and being known, numbered and designated as "PARCEL 9B-1" on the subdivision plat titled "AC# 162005-01 SUBDIVISION PLAT OF PARCEL 9B SUBDIVISION OF PARCEL 9 (M.B. 147, P.2) SUBDIVISION OF PARCEL 8, 9 AND 10 BATTLEFIELD CORPORATE CENTER (M.B. 141, P. 26) TM#0360000003730" dated December 29, 2015, revised through April 29, 2016, prepared by Rouse-Sirine Associates, Ltd., and recorded in the Office of the Clerk of the Circuit Court of the City of Chesapeake, Virginia (the "Clerk's Office") in Map Book 00162, at Pages 0008-0009.

IT BEING a portion of the same property conveyed to ROCKWELL CHESAPEAKE, LLC, a Utah limited liability company from INTERSTATE LAND, L.C. a Virginia limited liability company, by deed dated May 26, 2016, and recorded in the Clerk's Office of the Circuit Court for the City of Chesapeake, Virginia, in Deed Book 09657, at Pages 1820-1824.

The purchaser of the Real Property is Frederic Gregory, a third-party, who has no prior relationship with the Trustee. The purchase price for the Real Property is Fifty-Five Thousand Dollars (\$55,000.00).

The Motion is on file with the Clerk of the Bankruptcy Court. A copy of the Motion and any supporting materials may be obtained by contacting Deborah R. Chandler, bankruptcy counsel for the Trustee by telephone at (801) 534-1700 or by email at dchandler@aklawfirm.com.

If you do not want the Court to grant the relief requested in the Motion, then you or your attorney must take the following two steps:

- (1)** On or before **March 5, 2024**, file with the Bankruptcy Court a written Objection explaining your position. Your written objection must be filed electronically, by mail, or by hand-delivery at:

United States Bankruptcy Court
350 South Main Street, Room 301
Salt Lake City, UT 84101

If you mail your objection to the Bankruptcy Court for filing, it must be deposited in the U.S. Mail in sufficient time for it to be **received** by the Court on or before **March**

5, 2024. You must also mail a copy to the undersigned counsel at

Blake D. Miller
Deborah R. Chandler
Anderson & Karrenberg
50 West Broadway, Suite 600
Salt Lake City, Utah 84101

- (2) Attend a hearing on **March 12, 2024 at 10:30 a.m. MST**. This hearing will be held by Zoom. Parties should log in to Zoom at www.zoomgov.com at least ten (10) minutes before the scheduled time for the hearing.

Meeting ID and Passcode for Judge Kevin R. Anderson are as follows:

Meeting ID: 160 3007 6397; Passcode: 6001201

Parties who wish to participate in the hearing should consult the Bankruptcy Court's website at <https://www.utb.uscourts.gov/court-hearings-be-conducted-zoom> for the most up-to-date information regarding telephonic participation at a hearing.

There will be no further notice of the hearing and failure to attend the hearing will be deemed a waiver of your objection.

If you or your attorney do not take these steps, the Bankruptcy Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested. In the absence of a timely filed response to the Motion, the undersigned counsel may and will ask the Court to enter an order approving the Motion without hearing.

DATED: February 16, 2024.

ANDERSON & KARRENBERG

/s/ Deborah R. Chandler

Deborah R. Chandler

Blake D. Miller

Attorneys for Steven R. Bailey, Trustee

CERTIFICATE OF SERVICE

I certify that on February 16, 2024, I electronically filed the foregoing Motion for 1) Order Approving Settlement Agreement Between the Trustee and Purchaser of Real Property from the Debtor Located in Chesapeake, Virginia and 2) Approval to Sell Bankruptcy Estate Property Pursuant to Terms of Settlement Agreement and Notice of Opportunity for Hearing with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

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Brenda E. Weinberg, bweinberg@felixweinberg.com

The creditors and parties listed on the mailing matrix as of February 16, attached as Exhibit "A" were served by mail.

/s/ Yvonne Mahoney

Exhibit “A”

Label Matrix for local noticing
1088-2
Case 20-25326
District of Utah
Salt Lake City
Fri Feb 16 14:27:07 MST 2024

11 Crowley Street, LLC
Attn: Elizabeth Fischer
c/o Strong and Hanni, P.C.
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Salt Lake City, UT 84111-3110

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Trustees of 2016 Seshiki Family Trust
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BP412, LLC
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The Donald Paul Olshove and Gwendolyn Rae Olshove
c/o George Hofmann
111 E Broadway, 11th Floor
Salt Lake City, UT 84111-5238

The Fisher Investments Family Limited Partne
c/o George Hofmann
111 E Broadway, 11th Floor
Salt Lake City, UT 84111-5238

The Fred Jacob Living Trust, dated January 1
c/o George Hofmann
111 E Broadway, 11th Floor
Salt Lake City, UT 84111-5238

The Lowell S. & Kathleen S. Peterson
Intervivos Trust
c/o D. Peterson
4028 South 850 West
Riverdale, UT 84405-2679

The Real Mint, LLC
c/o Strong & Hanni
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Trustee of Stephen W. Funk T/U/A
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United States Trustee
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Utah State Tax Commission
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Salt Lake City, UT 84111-3105

Xenocorp, LLC
c/o Foley & Gardere/Foley & Lardner, LLP
2021 McKinney Ave., Suite 1600
Dallas, TX 75201-3340

IRS Special Procedures
50 S. 200 East
Mail Stop 5021
Salt Lake City, UT 84111

Rockwell Debt Free Properties, Inc
8494 South 700 East, Suite 200
Sandy, UT 84070

Document Page 13 of 18
Titanium 4, LLC
c/o Thomas Coleman
4210 Prairiewest Drive
Champaign, IL 61822

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Christopher J Ashby

(d)Steven R. Bailey tr
Steven R. Bailey, Attorney at Law
P.O. Box 1828
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(u)Scott W Beynon

(u)Wesley Felix

(u)Merny & Isabel Schwartz

(u)Miller RSC 09 Trust

(u)Jordan S Nelson

(u)Philip and Margaret McReynolds

(u)Plano TIC Owners

(u)Unbuilt TIC Owners

End of Label Matrix
Mailable recipients 144
Bypassed recipients 10
Total 154

This order is SIGNED.

Dated: March 12, 2024


KEVIN R. ANDERSON
U.S. Bankruptcy Judge



rdr

Order Prepared and Submitted By:

Blake D. Miller (#4090)
Deborah R. Chandler (#12057)
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Attorneys for Steven R. Bailey, Trustee

THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH

In re:

ROCKWELL DEBT FREE PROPERTIES,
INC.,

Debtor.

Bankruptcy Case 20-25326
Chapter 7

Judge Kevin R. Anderson

**ORDER APPROVING SETTLEMENT AGREEMENT BETWEEN
THE TRUSTEE AND PURCHASER OF REAL PROPERTY FROM THE DEBTOR
LOCATED IN CHESAPEAKE, VIRGINIA AND AUTHORIZING SALE OF
BANKRUPTCY ESTATE PROPERTY PURSUANT TO TERMS OF SETTLEMENT
AGREEMENT**

Before the Court is Trustee Steven R. Bailey's ("Trustee") Motion for Order 1)

Approving Settlement Agreement Between the Trustee and Purchaser of Real Property from the
Debtor Located in Chesapeake, VA, and 2) Approval to Sell Bankruptcy Estate Property

Pursuant to Terms of Settlement Agreement [ECF No. 158] (the “Motion”). The Motion seeks the Court’s approval of Trustee’s decision to sell the estate’s 10.475% interest in real property located in Chesapeake, VA, (the “Real Property”), described as follows:

ALL THAT certain lot, piece or parcel of land, lying, situate and being in the City of Chesapeake, Virginia, and being known, numbered and designated as “PARCEL 9B-1” on the subdivision plat titled “AC# 162005-01 SUBDIVISION PLAT OF PARCEL 9B SUBDIVISION OF PARCEL 9 (M.B. 147, P.2) SUBDIVISION OF PARCEL 8, 9 AND 10 BATTLEFIELD CORPORATE CENTER (M.B. 141, P. 26) TM#0360000003730” dated December 29, 2015, revised through April 29, 2016, prepared by Rouse-Sirine Associates, Ltd., and recorded in the Office of the Clerk of the Circuit Court of the City of Chesapeake, Virginia (the “Clerk’s Office”) in Map Book 00162, at Pages 0008-0009.

IT BEING a portion of the same property conveyed to ROCKWELL CHESAPEAKE, LLC, a Utah limited liability company from INTERSTATE LAND, L.C. a Virginia limited liability company, by deed dated May 26, 2016, and recorded in the Clerk’s Office of the Circuit Court for the City of Chesapeake, Virginia, in Deed Book 09657, at Pages 1820-1824.

On February 16, 2024, Trustee filed the Motion along with a notice of hearing on the Motion [ECF No. 159] (the “Notice of Hearing”). On February 16, 2024, the Notice of Hearing was served by first-class mail on all parties-in-interest as identified on the mailing matrix associated with this bankruptcy case. *See id.* The Notice of Hearing provided notice to parties-in-interest that in the absence of an objection filed no later than March 5, 2024, the hearing scheduled for March 12, 2024 at 10:30 a.m. may not be held and an order approving the Motion may be entered without a hearing. *Id.* No objection or response to the Motion was filed before the objection deadline.

The Court has reviewed the Motion, the Notice of Hearing, and all other documents submitted in this matter. Having received no objection to the Motion or the Notice of Hearing, notice being proper, the Court hereby **FINDS AND CONCLUDES**¹ as follows:

- A. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334;
 - B. This matter is a core proceeding pursuant to 28 U.S.C. § 157;
 - C. There has been adequate and reasonable notice to interested parties including full disclosure of the sale terms and any relationship with the Purchaser²;
 - D. The legal and factual bases set forth in the Motion establish just cause for the relief granted herein;
 - E. Trustee's decision to sell the Real Property on the terms more particularly described in the Motion and as authorized below, is based upon sound business reasons;
 - F. The terms and conditions that the Trustee proposes for the sale of the Real Property are fair and reasonable; and
 - G. The proposed sale is to good faith purchaser within the meaning of 11 U.S.C. § 363(m).
- WHEREFORE, based upon the Motion, the foregoing findings and conclusions and other matters of record, and good cause appearing, it hereby is **ORDERED** that:

- 1. The Motion is **GRANTED**;

¹ Findings of fact shall be construed as conclusions of law and conclusions of law shall be construed as findings of fact when appropriate. Fed. R. Bankr. P. 7052.

² All capitalized terms not defined herein shall have the same meanings as set forth in the Motion.

2. Pursuant to 11 U.S.C. § 363 Trustee shall be, and hereby is, authorized to sell the estate's 10.47% interest in the Real Property to the Purchaser for \$50,000.00.

3. The Trustee is authorized and directed upon receipt of the Sale Amount to execute the Deed and deliver it to counsel for the Purchaser.

4. From and after entry of this Order the Trustee will reasonably cooperate with the Purchaser to the extent necessary to correct any minor typographical errors or other minor problems to effectuate the Purchaser's interest in the Real Property and the recording of an appropriate deed, which may be in addition to the Deed for these purposes. The cooperation required by this paragraph shall be at no cost to the Trustee.

5. Trustee may proceed with the sale of the Real Property as set forth in the Motion.

6. The transactions contemplated by the Motion are undertaken by the Purchaser in good faith, as that term is used in Bankruptcy Code § 363(m), and accordingly, the reversal or modification on appeal of the authorization provided herein to consummate the Deed shall not affect the validity of the sale to the Purchaser, unless such authorization is duly stayed pending such appeal prior to the execution of the Deed. The Purchaser is a purchaser in good faith of the Real Property, entitled to all of the protections afforded by Bankruptcy Code 363(m).

16. For cause shown, the 14-day stay otherwise applicable under Bankruptcy Rule 6004(h) is hereby waived; this Order is effective immediately upon its entry and the Trustee is authorized and directed to immediately execute and deliver the Deed.

-----**END OF ORDER**-----

DESIGNATION OF PARTIES TO BE SERVED

Service of the foregoing **ORDER APPROVING SETTLEMENT AGREEMENT BETWEEN THE TRUSTEE AND PURCHASER OF REAL PROPERTY FROM THE DEBTOR LOCATED IN CHESAPEAKE, VIRGINIA AND AUTHORIZING SALE OF BANKRUPTCY ESTATE PROPERTY PURSUANT TO TERMS OF SETTLEMENT AGREEMENT** shall be served to the parties and in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

Steven R. Bailey tr, karen@baileylaw.org, UT06@ecfcbis.com
Deborah Rae Chandler, dchandler@aklawfirm.com
Andres' Diaz, courtmail@adexpresslaw.com
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Chad S Pehrson, cpehrson@kba.law, kslade@kba.law, dschanel@kba.law, jnishiguchi@kba.law
United States Trustee, USTPRegion19.SK.ECF@usdoj.gov
Brenda E. Weinberg, bweinberg@felixweinberg.com

All other parties entitled to notice in this case.

By U.S. Mail: In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R.Civ.P.5(b):

All parties on the matrix.

Deputy Clerk